

Document: Notice of Intent to Adopt a Rule, **Register Page Number:** 28 IR 3324

Source: August 1, 2005, Indiana Register, Volume 28, Number 11

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**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

LSA Document #05-195

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 2 to add provisions relating to Medicaid eligibility of an individual who resides in a nursing facility or other medical institution, or who receives services under a home and community based services waiver, and who has a spouse who does not receive Medicaid-covered institutional or home and community based services (a “community spouse”). Specifies the method used to calculate the amount of resources necessary to provide income to the community spouse to raise the community spouse’s income to the minimum monthly needs allowance. Specifies the criteria for determining when the minimum monthly needs allowance may be increased due to exceptional circumstances resulting in significant financial duress. Questions or comments concerning the proposed rules may be directed to: Indiana Office of Medicaid Policy and Planning, attn: Michael Staresnick, 402 W. Washington Street, Room W382, Indianapolis, Indiana 46204. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-2-24; IC 12-15-2-25.

For purposes of IC 4-22-2-28.1, the Small Business Regulatory Coordinator for this rule is:

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